IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 11763 of 1994

For Approval and Signature:

HON'BLE MR JUSTICE KS JHAVERI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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RAJA RANMAL MAKWANA - Petitioner(s)

Versus

G.S.R.T. CORPORATION & 1 - Respondent(s)

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Appearance :

MR MUKESH H RATHOD for Petitioner No(s).: 1.

MR YN RAVANI for Respondent No(s).: 1.

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CORAM : HON'BLE MR JUSTICE KS JHAVERI

Date : 19/07/2005

ORAL JUDGMENT

1.0 The petitioner has challenged the award dated 23.07.1993 passed by the Industrial Tribunal, Rajkot, in

Reference No.266 of 1987, whereby the said reference was rejected.

2.0 The petitioner was working as a Mechanic with the respondent Corporation. On 17.03.1986, while the petitioner was on duty, certain allegations were made against him. Charge-sheet was issued and departmental inquiry was held against the petitioner. Pursuant to the said inquiry, the petitioner was reverted from the Post of Mechanic to the Post of Helper.

2.1 Feeling aggrieved by the said order, the petitioner raised a dispute, which ultimately, came to be referred to the Labour Court by way of a reference. The Labour Court, by impugned award, rejected the said reference. Hence, this petition.

3.0 I have heard learned counsel for the parties and perused the documents placed on record. The Labour Court has recorded a finding that the petitioner was guilty of serious misconduct inasmuch as the petitioner had shown dis-respect to his senior Officers. I am in complete agreement with the reasonings given by the Labour Court in its impugned award and find no reason to interfere in

this petition.

4.0 In the result, the petition is dismissed. The impugned award of the Labour Court is confirmed. Rule is discharged with no order as to costs.

(K. S. JHAVERI, J.)

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